

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RECEIVED

JAN 23 2015

BRYAN BEGEOT,

Plaintiff,

v.

CORRECTION MEDICAL SERVICES, et al.,

Defendants.

AT 8:30 _____ M
WILLIAM T. WALSH CLERK

Civ. No. 14-720 (FLW)

MEMORANDUM AND ORDER

Plaintiff is proceeding, *in forma pauperis* ("IFP"), with a civil rights complaint filed pursuant to 42 U.S.C. § 1983. Based on his affidavit of indigence, the Court grants Plaintiff's application to proceed IFP pursuant to 28 U.S.C. § 1915(a) and (b). At this time, the Court must review the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B) to determine whether it should be dismissed as frivolous or malicious, for failure to state a claim upon which relief may be granted, or because it seeks monetary relief from a defendant who is immune from suit. Having completed this screening,

IT IS on this 23rd day of January, 2015,

ORDERED that, pursuant to 28 U.S.C. § 1915(a) and (b), the application submitted by Plaintiff to proceed IFP is hereby **GRANTED**; it is further

ORDERED that the Clerk of the Court is directed to file the Complaint without prepayment of the filing fee; it is further

ORDERED that, pursuant to 28 U.S.C. § 1915(b), the Clerk shall serve a copy of this Order by regular mail on the Attorney General for the State of New Jersey and on the

Administrator at Middlesex County Adult Correction Center, where Plaintiff is presently confined; it is further

ORDERED that Plaintiff is assessed a filing fee of \$350.00 which shall be deducted from Plaintiff's prison account pursuant to 28 U.S.C. § 1915(b)(2) in the manner set forth below, regardless of the outcome of the litigation, in the event Plaintiff is still confined and has not been released from prison; it is further

ORDERED that, pursuant to 28 U.S.C. § 1915(b)(2), until the \$350.00 fee is paid, each month that the amount in Plaintiff's prison account exceeds \$10.00, the agency having custody of Plaintiff, to the extent that Plaintiff is still confined, shall assess, deduct from his account, and forward to the Clerk payments equal to 20% of the preceding month's income credited to Plaintiff's prison account, with each payment referencing the civil docket number of this action; it is further

ORDERED that Plaintiff's entire complaint is permitted to proceed past 28 U.S.C. § 1915 screening; it is further

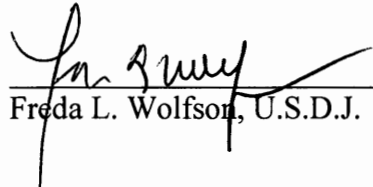
ORDERED that, pursuant to 28 U.S.C. § 1915(d), the Clerk shall issue summons and the United States Marshal shall serve summons, the Complaint and this Order upon Defendants, with all costs of service advanced by the United States¹; it is further

ORDERED that, pursuant to 42 U.S.C. § 1997e(g)(2), Defendants shall file and serve an answer, *see* Fed. R. Civ. P. 12(a)(1)(A); it is further

¹ Alternatively, the U.S. Marshal may notify defendants that an action has been commenced and request that the defendants waive personal service of a summons in accordance with Fed. R. Civ. P. 4(d).

ORDERED that, pursuant to 28 U.S.C. § 1915(e)(1) and § 4(a) of Appendix H of the Local Civil Rules, the Clerk shall notify Plaintiff of the opportunity to apply in writing to the assigned judge for the appointment of pro bono counsel; and it is further

ORDERED that, if at any time prior to the filing of a notice of appearance by Defendants, Plaintiff seeks the appointment of pro bono counsel or other relief, pursuant to Fed. R. Civ. P. 5(a) and (d), Plaintiff shall (1) serve a copy of the application by regular mail upon each party at his last known address and (2) file a Certificate of Service.²


Freda L. Wolfson, U.S.D.J.

² After an attorney files a notice of appearance on behalf of a Defendant, the attorney will automatically be electronically served all documents that are filed in the case.